

REMARKS

Claims 1-36 are pending, with claims 1, 13 and 25 being independent. Claims 1, 13, and 25 have been amended. No new matter has been added.

Urry Rejection

Claims 1-7, 9-19, 21-31, and 33-36 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Urry et al. (U.S. Patent No. 6,381,746). Applicant has amended the claims to obviate the § 102(e) rejection.

As amended, claim 1 recites a method of transmitting packets. A duplicating switch receives and selectively filters communications. The duplicating switch receives a first stream of data units that are addressed to a unicast address on the duplicating switch. The first stream of data units includes a payload portion and an attribute portion. The duplicating switch generates second streams that incorporate the stored content for use by two or more terminals having addressing information that was not part of the first stream. Finally, a duplicating switch forwards a duplicated payload portion of the data unit within the second streams of data units that is addressed to a unicast address on each of the two or more terminals in response to a request. The duplicating switch is structured and arranged to selectively filter the communications and forward the duplicated payload portion in response to examining an address.

Applicant respectfully requests reconsideration and withdrawal of the rejection because Urry fails to describe or suggest at least a duplicating switch configured to perform the recited operations. In particular, Urry fails to describe or suggest (1) using a duplicating switch to receive communications (2) using the duplicating switch to selectively filter the communications, or (3) forwarding a duplicated payload portion of the data unit within the second streams of data units addressed to a unicast address on each of the two or more terminals, wherein the duplicating switch is structured and arranged to selectively filter the communications and forward the duplicated payload portion in response to examining an address, as recited in claim 1.

Urry is directed to an “on demand” video system that schedules streaming sessions on two or more processors.¹ Urry notes that video content is distributed as ATM cells (48 byte cells).² Urry’s server then controls which content is transmitted during a particular ATM time slot, noting:

Control program 24 interacts with the netlist and causes the co-processor to send forty-eight bytes of a video stream to a particular viewer during the time slot which is allotted by the scheduler circuit 22. [*Id.*, emphasis added].

While both Applicant’s duplicating switch and Urry generally relate to “on demand” streaming systems, Applicant’s duplicating switch and Urry focus on dramatically different technologies. Urry is directed to managing the processing power required to support “on demand” streaming server systems. In contrast, Applicant’s duplicating switch “is structured and arranged to selectively filter the communications and forward the duplicated payload portion in response to examining an address.”

Beyond noting use of ATM network interfaces and reserving time slots, Urry simply does not describe any architecture or configuration for any intermediary networks. Consequently, Urry cannot possibly describe a duplicating switch configured to perform the recited limitations.

The significance of these distinctions can be important in a variety of implementations. For example, Applicant’s duplicating switch may be configured to receive and selectively forward communications between two networks. See, e.g., Fig. 1 (showing duplicating switch 130 between network 120 and network 140); see also page 7 (duplicating switch may include an ASIC configured to “filter based on examining an IP address”).

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 102(e) rejection of claim 1 and its dependent claims 2-12.

Similarly to claim 1, each of independent claims 13, and 25 have been amended to recite duplicating switches configured to receive and selectively forward communications. Accordingly, Applicant respectfully requests withdrawal of the § 102(e) rejection of claims 13 and 25, and their dependent claims 14-24 and 26-36, for at least the reasons discussed above with

¹ See Col. 4, ll. 5-20.

² See *id.*

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respect to claim 1. None of the other cited references are believed to describe or suggest a duplicating switch with the recited limitations. Accordingly, allowance of all claims is respectfully requested.

Enclosed is a \$1220.00 check for excess claim fees (\$200) and a check for the Petition for Extension of Time fee (\$1020). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

4/10/2005



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